

JUL 01 2004

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

APPLICANT : HOAGE, Jerard B., et al.  
 SERIAL NO : 10/213,317  
 FILED : August 6, 2002  
 TITLE : METHOD AND APPARATUS FOR AERATION WITHOUT  
           SIGNIFICANT AGITATION TO DEPLET AND BIODEGRADE  
           SLUDGE

Grp./A.U. : 1724  
 Examiner : BARRY, Chester T.  
 Conf. No. : 4589  
 Docket No. : P05093US1

## AMENDMENT

Commissioner for Patents  
 P.O. Box 1450  
 Mail Stop Amendment  
 Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated March 10, 2004, please enter the one-month extension of time for a small business entity and the amendments on the above-identified application into the record as follows:

## CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

## MAILING

deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Mail Stop Amendment, Alexandria, VA 22313-1450.

Date:

July 1, 2004

## FACSIMILE

transmitted by facsimile to the Patent and Trademark Office, Art Unit 1724 at Fax No. (703) 872-9306.

Edmund J. Sease

REMARKS

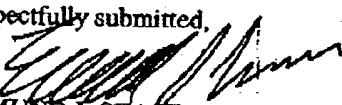
The claims now in the case are claims 1-2 and 4-6. Claim 1 is currently amended to add to it limitations of allowable claim 3. Since the remaining claims 2, 4, 5 and 6 all depend from indicated allowable claim 1 as amended with the limitations of previously submitted claim 3, it is submitted that all claims are now *prima facie* in condition for allowance.

The Examiner was correct in his conclusion that claim 3 added allowable subject matter to previously presented claim 1. The importance of the air plate and its use in order to modify the dynamic movement of both the air and water within the system is discussed at pages 5 and 6 of the Specification.

There being no further rejections or objections with respect to the claims as now presented, it is submitted that they are in condition for a formal Notice of Allowance which is solicited.

This is a request to extend the period for filing a response in the above-identified application for one month from June 10, 2004 to July 10, 2004. Applicant is a small entity; therefore, please charge Deposit Account number 26-0084 in the amount of \$55.00 for one month to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to Deposit Account 26-0084.

Respectfully submitted,

  
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